

APPENDIX: ENABLING LEGISLATION

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4163

SEC. 512. NICODEMUS NATIONAL HISTORIC SITE.

16 USC 461 note.

(a) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) the town of Nicodemus, in Kansas, has national significance as the only remaining western town established by African-Americans during the Reconstruction period following the Civil War;

(B) the town of Nicodemus is symbolic of the pioneer spirit of African-Americans who dared to leave the only region they had been familiar with to seek personal freedom and the opportunity to develop their talents and capabilities; and

(C) the town of Nicodemus continues to be a valuable African-American community.

(2) PURPOSES.—The purposes of this section are—

(A) to preserve, protect, and interpret for the benefit and enjoyment of present and future generations, the remaining structures and locations that represent the history (including the settlement and growth) of the town of Nicodemus, Kansas; and

(B) to interpret the historical role of the town of Nicodemus in the Reconstruction period in the context of the experience of westward expansion in the United States.

(b) DEFINITIONS.—In this section:

(1) HISTORIC SITE.—The term “historic site” means the Nicodemus National Historic Site established by subsection (c).

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(c) ESTABLISHMENT OF NICODEMUS NATIONAL HISTORIC SITE.—

(1) ESTABLISHMENT.—There is established the Nicodemus National Historic Site in Nicodemus, Kansas.

(2) DESCRIPTION.—

(A) IN GENERAL.—The historic site shall consist of the first Baptist Church, the St. Francis Hotel, the Nicodemus School District Number 1, the African Methodist Episcopal Church, and the Township Hall located within the approximately 161.35 acres designated as the Nicodemus National Landmark in the Township of Nicodemus, Graham County, Kansas, as registered on the National Register of Historic Places pursuant to section 101 of the National Historic Preservation Act (16 U.S.C. 470a), and depicted on a map entitled “Nicodemus National Historic Site”, numbered 80,000 and dated August 1994.

(B) MAP AND BOUNDARY DESCRIPTION.—The map referred to in subparagraph (A) and accompanying boundary description shall be on file and available for public inspection in the office of the Director of the National Park Service and any other office of the National Park Service that the Secretary determines to be an appropriate location for filing the map and boundary description.

(d) ADMINISTRATION OF THE HISTORIC SITE.—

(1) IN GENERAL.—The Secretary shall administer the historic site in accordance with this section and the provisions of law generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National

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Park Service, and for other purposes", approved August 25, 1916 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666, chapter 593; 16 U.S.C. 461 et seq.).

(2) COOPERATIVE AGREEMENTS.—To further the purposes of this section, the Secretary may enter into a cooperative agreement with any interested individual, public or private agency, organization, or institution.

(3) TECHNICAL AND PRESERVATION ASSISTANCE.—

(A) IN GENERAL.—The Secretary may provide to any eligible person described in subparagraph (B) technical assistance for the preservation of historic structures of, the maintenance of the cultural landscape of, and local preservation planning for, the historic site.

(B) ELIGIBLE PERSONS.—The eligible persons described in this subparagraph are—

(i) an owner of real property within the boundary of the historic site, as described in subsection (c)(2); and

(ii) any interested individual, agency, organization, or institution that has entered into an agreement with the Secretary pursuant to paragraph (2).

(e) ACQUISITION OF REAL PROPERTY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary is authorized to acquire by donation, exchange, or purchase with funds made available by donation or appropriation, such lands or interests in lands as may be necessary to allow for the interpretation, preservation, or restoration of the First Baptist Church, the St. Francis Hotel, the Nicodemus School District Number 1, the African Methodist Episcopal Church, or the Township Hall, as described in subsection (c)(2)(A), or any combination thereof.

(2) LIMITATIONS.—

(A) ACQUISITION OF PROPERTY OWNED BY THE STATE OF KANSAS.—Real property that is owned by the State of Kansas or a political subdivision of the State of Kansas that is acquired pursuant to paragraph (1) may only be acquired by donation.

(B) CONSENT OF OWNER REQUIRED.—No real property may be acquired under this subsection without the consent of the owner of the real property.

(f) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than the last day of the third full fiscal year beginning after the date of enactment of this Act, the Secretary shall, in consultation with the officials described in paragraph (2), prepare a general management plan for the historic site.

(2) CONSULTATION.—In preparing the general management plan, the Secretary shall consult with an appropriate official of each of the following:

(A) The Nicodemus Historical Society.

(B) The Kansas Historical Society.

(C) Appropriate political subdivisions of the State of Kansas that have jurisdiction over all or a portion of the historic site.

(3) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to the Committee on Energy and

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Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of the Interior such sums as are necessary to carry out this section.